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HON'BLE SRI JUSTICE B. PRAKASH RAO

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AND

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HON'BLE DR JUSTICE G.YETHIRAJULU

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W.A. NO. 1806 OF 2005

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Between:

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Pandla Chandramma, D/o Satyam, Hindu, aged about 41 years, Sweeper Class IV, Vijaya Bank, R/o Arundalpet, Guntur

Appellant/ Petitioner

And

1. The Assistant General Manager,

   Vijaya Bank Regional Office, (A Central Government of India Undertaking, Vijayawada.

2. The Regional Manager, Vijaya Bank Regional Office,

   (A Central Government of India Undertaking), Vijayawada.

3. Vijaya Bank, Rep by its Branch Manager, Guntur.

Respondents

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JUDGMENT:

(per Hon'ble Sri Justice B. PRAKASH RAO)

Heard Sri V.S.R. Anjaneyulu, learned counsel for the appellant and also Sri E. Ajay Reddy, learned counsel appearing for the respondents and at their request, the main appeal itself is taken up for disposal.

The petitioner is the appellant herein, who sought a writ of mandamus initially seeking a direction to the respondents to permit the petitioner to appear for the interview for the post of Sweeper Class IV, along with the candidates sponsored by the Employment Exchange and consider her candidature without insisting on sponsoring her name from the Employment Exchange.

The main case of the appellant rests on the fact that she has been working right from 1985 and therefore, her case has to be considered. However, the learned single Judge dismissed the Writ Petition mainly on the ground that the interviews to be conducted on 27/28.3.2001, have already been conducted; therefore, the matter has become infructuous.

The third respondent filed a counter stating that there is a vacancy available in the Bank for 1/3 scale wages of Part-time Sweeper and the said post was notified by the Bank to the local employment exchange, i.e., District Employment Exchange, Guntur requesting them to sponsor the candidates vide Bank's letter No. Per:HRD:RCT:C. 1166:10-2-2000. In the counter it was denied that the Bank

conducted interviews on 27/28-3-2001 and so far interviews were not conducted and no date is fixed for conducting such interviews. In the last para it was further pointed out that the Bank is considering the case of the petitioner along with other candidates who were sponsored by the District Employment Exchange, Guntur for the vacancy of part-time Sweeper, as and when such interview date is fixed by the respondent-Bank.

Having regard to the facts and circumstances and also on perusal of the material available on record, it is seen that no interviews have been conducted for the post of Sweeper Class-IV so far and therefore, it cannot be said that the writ petition has become infructuous. Therefore, in view of the averments made in the counter affidavit that the case of the petitioner along with other candidates, who were sponsored by the District Employment Exchange, Guntur for the vacancy of part-time Sweeper, will be considered as and when such interview date is fixed by the respondent-Bank, we feel it appropriate to dispose of the appeal.

Accordingly, the Writ Appeal is disposed of with a direction to the respondent-Bank to consider the case of the petitioner along with other candidates, who were sponsored by the District Employment Exchange, Guntur for the Vacancy of part-time Sweeper, as and when such interview date is fixed. No order as to costs.

_____ B. PRAKAHS RAO,J

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DR. G. YETHIRAJULU, J

Dated: 21.12.2005

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